

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ALAN N. SCOTT,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE, et al.,

Defendants.

CIVIL ACTION NO. 3:03-CV-0651

(JUDGE CAPUTO)

**MEMORANDUM ORDER**

Presently before the Court is Magistrate Judge Malachy E. Mannion's Report and Recommendation (Doc. 27), and Plaintiff's untimely filed Objections to Magistrate's Recommendation (Doc. 33). Plaintiff was twice granted additional time to file his objections to Magistrate Judge Malachy E. Mannion's Report and Recommendation. (See Docs. 29, 32.) Plaintiff's objections were due May 31, 2005. (Doc. 32.) However, they were not filed until June 7, 2005. (Doc. 33.) As such, Plaintiff's untimely objections will be dismissed.

The failure to file timely objections permits the Court to review the Report and Recommendation for clear error and manifest injustice and then adopt without a formal opinion. *Cont'l Cas. Co. v. Dominick D'Andrea, Inc.*, 150 F.3d 245, 250 (3d Cir. 1998) ("[T]he district judge need take no time reviewing the matter unless a party objects to the order.").

Magistrate Judge Mannion recommended that the Court grant Defendants' Motion for Summary Judgment (Doc. 20).

**NOW**, this 2nd day of November, 2005, upon review of Magistrate Judge Malachy E. Mannion's Report and Recommendation (Doc. 27) for clear error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) Plaintiff's untimely filed Objections to Magistrate's Recommendation (Doc. 33) is **DISMISSED**.
- (2) The Report and Recommendation (Doc. 27) is **ADOPTED**.
- (3) Defendants' Motion for Summary Judgment (Doc. 20) is **GRANTED**.
- (4) The Clerk of the Court shall mark this case **CLOSED**.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge